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MAIL STOP PCT  
Attorney Docket: 26773U  
Date: March 13, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Art Unit: Unknown  
BUHR, et al. Examiner: Unknown  
Serial No.: 10/537,693  
Filed: June 6, 2005  
International Application: PCT/EP03/14069  
International Filing Date: December 11, 2003  
Title: **4-SUBSTITUTED BENZIMIDAZOLES AND THEIR USE AS INHIBITORS OF GASTRIC SECRETION**

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

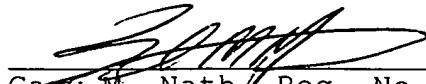
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Supplemental Information Disclosure Statement;
- 2) PTO Form-1449 with 4 cited References;
- 3) Copies for 2 of the 4 cited References.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

[XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.  
The enclosed statement is accompanied by [check one]:  
[ ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
[ ] ii. a check in the amount required by 37 C.F.R. 1.17(p).

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Serial No.: 10/537,693

[ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

[ ] Certification report(e) below; and

[ ] a check in the amount as required by 1.17(p).

[ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

[ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

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[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

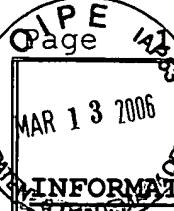
The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
Gary M. Nath, Reg. No. 26,965  
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Customer No. 34375

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MAR 13 2006 U.S. PATENT OFFICE INFORMATION DISCLOSURE CITATION		In re Application of: BUHR, et al.		Art Unit: Unknown
		Serial No: 10/537,693	Filed: June 6, 2005	Examiner: Unknown

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
	6,313,136 (corresponds to WO 99/55705)	6 Nov. 2001	Amin et al.	23 Apr. 1999
A2	6,313,137 (corresponds to WO 99/55706)	6 Nov. 2001	Amin et al.	23 Apr. 1999
A3				
A4				

## FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation
A5	99/55705 A1	4 Nov. 1999	WO	N/A
A6	99/55706 A1	4 Nov. 1999	WO	N/A
A7				
A8				
A9				
A10				
A11				
A12				
A13				
A14				
A15				
A16				
A17				
A18				
A19				
A20				

## OTHER

Examiner Initial	(Including Author, Title, Date, Pertinent Pages, etc.)	
A21		
A22		
A23		

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.